

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ROVIER CARRINGTON,	:	
	:	
Plaintiff,	:	18 Civ. 4609 (KPF)
	:	
v.	:	<u>ORDER</u>
	:	
BRIAN GRADEN, BRIAN GRADEN MEDIA	:	
LLC, VIACOM INC., VIACOM	:	
INTERNATIONAL INC., PARAMOUNT	:	
PICTURES CORPORATION, BRAD GREY,	:	
BRAD GREY ESTATE, BRAD ALAN GREY	:	
TRUST,	:	
	:	
Defendants.	:	
	:	
-----X		

KATHERINE POLK FAILLA, District Judge:

On October 11, 2019, the Court held a hearing on the Defendants' joint motion for terminating sanctions. (Dkt. #123-124). Plaintiff did not appear at the conference, despite the Court's prior orders that he attend in person. (Dkt. #144, 145, 146). Although the Court had warned Plaintiff that his failure to appear could result in the Court deciding Defendants' motion unopposed, the Court in fact reviewed and considered all the submissions that Plaintiff provided in opposition to Defendants' motion. (Dkt. #127, 136, 137). For the reasons set forth on the record at the hearing, the Court GRANTS Defendants' motion for terminating sanctions with costs. Plaintiff's claims are hereby dismissed with prejudice against all Defendants. The Clerk of Court is directed to terminate the motion at docket entry 123. On or before December 2, 2019, Defendants' attorneys shall submit their applications for fees and costs. The Court declines at this time to issue a criminal referral to the United States Attorney's Office for the Southern District of New York.

The Court notes that shortly after the conference, the Court received a telephone call from Mr. Greg Loomis, who had previously indicated that he sought to appear as counsel for Mr. Carrington. (See Dkt. #145). Mr. Loomis indicated that he was returning a call from the Court. Neither the Court nor any of its staff made such a call, and the Court's staff advised Mr. Loomis of this fact.

SO ORDERED.

Dated:           October 11, 2019  
                  New York, New York



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KATHERINE POLK FAILLA  
United States District Judge

*A copy of this Order was mailed by Chambers to:*

Rovier Carrington  
5901 Encina Road  
Suite C-2  
Goleta, CA 93117